Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

1-36.   (Canceled).

37. (Currently Amended) A method for use in a code division multiple access (CDMA) user device, the method comprising:

transmitting first data to a base station over a plurality of wireless channels;

receiving second data from at least one data buffer in the base station over a plurality of data traffic channels;

receiving ~~control~~ data indicative of a data rate associated with the plurality of data traffic channels over a ~~control~~ channel; and

wherein the CDMA user device is dynamically assigned the plurality of data traffic channels for receiving data based on an urgency factor, wherein the urgency factor is based on the data present in the data buffer.

38.   (Canceled).

39. (Previously Presented)   The method of claim 37, wherein the data received over the plurality of data traffic channels is associated with at least one

priority.

40. (Canceled).

41. (Currently Amended) The method of claim 37, wherein the urgency factor is used to determine channel allocation based on ~~the~~ data source type.

42-43. (Canceled).

44. (Currently Amended) The method of claim 37, wherein the received first data comprises packet data corresponding to a particular data ~~type~~ attribute.

45-46. (Canceled).

47. (Currently Amended) A cellular network device comprising:

a plurality of data queues associated with a plurality of user devices; data of each data queue being associated with at least one logical channel and being associated with at least one priority; and

the network ~~at least one first~~ device configured to transmit ~~control~~ data indicative of a data rate associated with a plurality of physical code division multiple access (CDMA) channels to a ~~the~~ particular user device over a physical CDMA ~~control~~ channel; wherein the network ~~at least one first~~ device is further

configured to schedule data flows from data of the data queues based on the associated at least one priority; wherein the <u>network</u> ~~at least one first~~ device is further configured to transmit the scheduled data flows using the plurality of physical CDMA channels; wherein the <u>network</u> ~~at least one first~~ device is further configured to combine data from a plurality of logical channels for the particular user device into at least one data flow; wherein a number of the physical channels of the plurality of physical CDMA channels is dynamically assigned.

48. (Currently Amended) The cellular network device of claim 47 wherein data of the scheduled data flows is associated with ~~at least one serial number and at least one checksum~~ <u>one of a number of different assignable codes</u>.

49. (Currently Amended) The cellular network device of claim 47 wherein <u>the network device is configured to dynamically assign the plurality of physical CDMA channels based on time granularity used to monitor incoming data flows, transmission buffer capacity at the beginning of a particular timeframe, and the amount of data that can be sent over the plurality of logical channels in a determined time period</u> ~~an initial transmission of data is in a subframe has a first number of data bits and a retransmission of at least a portion of the data is in a subsequent subframe has a different number of data bits~~.

50. (Currently Amended) A method comprising:

~~associating~~ allocating a plurality of data queues <u>for communication</u> with a

plurality of user devices, data of each data queue being associated with at least one

logical channel and being associated with at least one priority; and

transmitting, via <u>a network</u> ~~at least one first~~ device, ~~control~~ data indicative of

a data rate associated with a plurality of physical code division multiple access

(CDMA) channels to ~~the~~ <u>a</u> particular user device over a physical CDMA ~~control~~

channel; wherein the <u>network</u> ~~at least one first~~ device schedules data flows from

data of the data queues based on the associated at least one priority; wherein the

<u>network</u> ~~at least one first~~ device transmits the scheduled data flows using the

plurality of physical CDMA channels; wherein the <u>network</u> ~~at least one first~~ device

combines data from a plurality of logical channels for the particular user device into

at least one data flow; wherein a number of the physical channels of the plurality of

physical CDMA channels is dynamically assigned.

51. (Currently Amended) The method of claim 50 wherein data of the

scheduled data flows is associated with ~~at least one serial number and at least one~~

~~checksum~~ <u>one of a number of different assignable codes</u>.

52. (Currently Amended) The method of claim 50 wherein <u>the plurality of</u>

<u>physical CDMA channels are dynamically assigned based on time granularity used</u>

<u>to monitor incoming data flows, transmission buffer capacity at the beginning of a</u>

<u>particular timeframe, and the amount of data that can be sent over the plurality of</u>

logical channels in a determined time period ~~an initial transmission of data in a subframe has a first number of data bits and a retransmission of at least a portion of the data is in a subsequent subframe has a different number of data bits~~.

53.   (New) A code division multiple access (CDMA) user device comprising:

a transceiver configured to communicate over a plurality of wireless channels with a base station;

a buffer configured to buffer data, the data being associated with at least one channel and having an associated priority;

the transceiver is further configured to transmit scheduling information to the base station indicating an amount of data associated with the buffer; wherein the scheduling information is transmitted with data on a plurality of wireless channels;

the transceiver is further configured to receive a signal with a resource allocation; and

the transceiver is further configured in response to the resource allocation to transmit data over a plurality of wireless channels; wherein a number of the plurality of wireless channels is based on at least the resource allocation.

54.   (New) The CDMA user device according to claim 53 wherein the buffer is configured to buffer packet data.

55.   (New) The CDMA user device according to claim 54 wherein transceiver is configured to transmit buffer characteristics as the scheduling information.

56.   (New) The CDMA user device according to claim 54 wherein the plurality of wireless channels includes logical channels.

57.   (New) The CDMA user device according to claim 54 wherein the packet data is transmitted with one of a number of different assignable codes.

58.   (New) The CDMA user device according to claim 53 wherein priority information is used in order to define a session queue to enable or disable.

59.   (New) The CDMA user device according to claim 53 wherein the number of the wireless channels are dynamically changed based on at least the resource allocation.

60.   (New) The CDMA user device according to claim 53 wherein the transceiver is further configured to change a coding associated with the wireless channels based on at least the resource allocation.

61. (New)   The CDMA user device according to claim 53 wherein the priority of the buffered data of the at least one channel is a highest priority.

62. (New)   A method of code division multiple access (CDMA) communication performed by a user device to communicate with a base station via wireless channels, the method comprising:

storing data in a buffer, the data being associated with at least one channel and having an associated priority;

transmitting scheduling information to the base station indicating an amount of data associated with the buffer; wherein the scheduling information is transmitted with data on a plurality of wireless channels;

receiving a signal with a resource allocation; and

in response to the resource allocation, transmitting data over a plurality of wireless channels; wherein a number of the plurality of wireless channels is based on at least the resource allocation.

63.   (New) The method according to claim 62 wherein packet data is stored in the buffer.

64.   (New) The method according to claim 63 wherein buffer characteristics are transmitted as the scheduling information.

65.   (New) The method according to claim 63 wherein the plurality of wireless channels includes logical channels.

66.   (New) The method according to claim 63 wherein the packet data is transmitted with one of a number of different assignable codes.

67.   (New) The method according to claim 62 wherein the resource allocation is received in response to a request.

68.   (New) The method according to claim 62 wherein:

priority information is used in order to define a session queue to enable or disable.

69.   (New) The method according to claim 62 wherein the number of the wireless channels is dynamically changed based on at least the resource allocation.

70.   (New) The method according to claim 62 further comprising:

changing a coding associated with the wireless channels based on at least the resource allocation.

71.   (New) The method according to claim 62 wherein the priority of the buffered data of the at least one channel is a highest priority.